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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

MAXIMILIAN KLEIN, et al., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC., a Delaware  
Corporation,

Defendant.

Case No. 3:20-cv-08570-JD

**REPLY DECLARATION OF DAVID Z.  
GRINGER IN SUPPORT OF META  
PLATFORMS, INC.'S MOTION TO  
EXCLUDE TESTIMONY OF NICHOLAS  
ECONOMIDES**

Judge: Hon. James Donato

1 I, DAVID Z. GRINGER, declare as follows:

2 1. I am a partner at the law firm Wilmer Cutler Pickering Hale and Dorr LLP. I  
3 represent Meta Platforms, Inc. in the above-captioned action. I submit this reply declaration in  
4 support of Meta's Motion to Exclude Testimony of Nicholas Economides.

5 2. Attached hereto as Exhibit 13 is a true and correct copy of excerpts of the  
6 transcript from Nicholas Economides's deposition held on September 14, 2023 ("Economides  
7 Tr."). Other excerpts from this transcript were previously attached as Exhibit 3 to my first  
8 declaration in support of this Motion. Dkts. 650-1, 651-6.

9 3. Attached hereto as Exhibit 14 is a true and correct copy of excerpts of the  
10 Declaration of Dr. Joseph Farrell in Support of Consumer Plaintiffs' Motion for Class  
11 Certification served on July 7, 2023 ("Farrell Rep.").

12 4. Attached hereto as Exhibit 15 is a true and correct copy of a document produced  
13 in this litigation, Bates numbered PALM-008405132 ("PALM-008405132").

14 5. Attached hereto as Exhibit 16 is a true and correct copy of a document produced  
15 in this litigation, Bates numbered PALM-011944933 ("PALM-011944933").

16 6. Attached hereto as Exhibit 17 is a true and correct copy of excerpts of the  
17 transcript from David Baser's deposition held on June 14, 2023 ("Baser Tr."). Other excerpts  
18 from this transcript were previously attached as Exhibit 9 to my supplemental declaration in  
19 support of this Motion. Dkts. 653, 655-4.

20 7. Attached hereto as Exhibit 18 is a true and correct copy of excerpts of the  
21 transcript from Jon Eide's deposition held on May 9, 2023 ("J. Eide Tr.").

22 8. Attached hereto as Exhibit 19 is a true and correct copy of the article by Nicholas  
23 Economides & Ioannis Lianos, *Giving Away Our Data for Free is a Market Failure*, Promarket  
24 (Feb. 1, 2021), [https://www.promarket.org/2021/02/01/free-data-market-failure-digital-](https://www.promarket.org/2021/02/01/free-data-market-failure-digital-platforms/)  
25 [platforms/](https://www.promarket.org/2021/02/01/free-data-market-failure-digital-platforms/) ("Economides & Lianos, *Giving Away*").  
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1 I declare that the foregoing is true and correct under penalty of perjury.

2 Executed on this 3rd day of November, 2023, in New York, New York.

3 By: /s/ David Z. Gringer

4 David Z. Gringer

5  
6 **SIGNATURE ATTESTATION**

7 This document is being filed through the Electronic Case Filing (ECF) system by  
8 attorney Sonal N. Mehta. By her signature, Ms. Mehta attests that she has obtained concurrence  
9 in the filing of this document from the signatories.

10 By: /s/ Sonal N. Mehta

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